HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2140 OF 2005.

Tirthnath S. Dubey. ...Applicant

V/s.

The State of Maharashtra. ...Respondent

Shri L.H.Patil, for applicant.

Shri V.B.Konde-Deshmukh, APP for respondent.

CORAM: A.M.KHANWILKAR,J
DATE : APRIL 1,2005

P.C. :-

1. Heard the learned counsel for the parties. The learned APP fairly accepts the reasons stated in the order passed by this court on 24th March, 2005 in Criminal Application No. 1990 of 2005 in the case of co-accused- Dharnidhar K. Pandey & others will be relevant for considering the present application. He however, submits that the applicant was secretary of the society. Even so, in my opinion, the applicant deserves to be enlarged on bail on the same terms as the case of the co-accused. Application is allowed on the following terms.

(A) The Applicant is directed to be released

on bail in connection with CR.No.23/2005 registered with Saki Naka Police Station on executing personal bond in the sum of Rs.25,000/- with two local sureties in the like amount. The condition of local sureties cannot be dispensed with in the present case, as the prosecution apprehends that the Applicant will flee from the ends of Justice, if released.

(B) The Applicant shall not influence the prosecution witness nor shall tamper with the prosecution evidence in any manner whatsoever.

(C) The applicant shall report to the investigating officer twice a week between 5 to 7 p.m. on Wednesday and Sunday respectively till the filing of the chargesheet; and after filing of chargesheet, once in fortnight on Saturday between 5 p.m. to 7 p.m.

(D) The applicant shall co-operate for early disposal of the trial. If the trial court is of the opinion that the Applicants are in any way responsible for delay in disposal of the trial, that opinion be recorded in the roznama, which can be a ground for cancellation of bail.

. Application disposed of on the above terms.